

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Katharine S. Hayden
v. : Crim. No. 08-662 (KSH)
JOHN E. HOWARD : CONTINUANCE ORDER

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (by Randall H. Cook, Assistant U.S. Attorney) and defendant John E. Howard (by K. Anthony Thomas, Esq.) for an order granting a continuance of the proceedings in the above-captioned matter; and the defendant having been indicted for violation of 18 United States Code Section 922(g)(1) on September 19, 2008; and the defendant having filed an omnibus pre-trial motion on December 15, 2008; and the Court having conducted hearings on the motion on July 30, 2009, September 3, 2009, and December 2, 2009; and the Court having taken the defendant's motion under advisement; and the defendant being aware that he has the right to have the matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to Title 18 of the United States Code, Section 3161(c)(1); and the defendant having consented to this continuance;

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. The issues presented by the defendant's omnibus motion, the parties' briefing papers, and during the evidentiary hearings are complex;

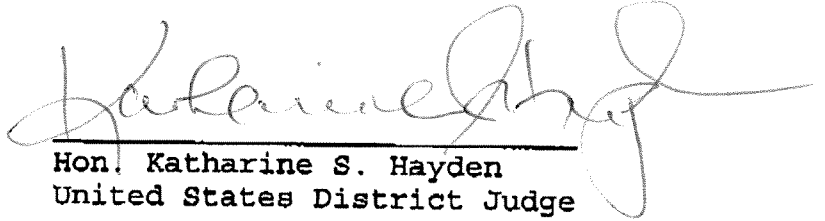
2. Pursuant to D.N.J. L. Crim. R., App. J, 6(a), additional time is reasonably necessary in order to make a judicial determination on the omnibus motion;

3. Pursuant to Title 18 of the United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial;

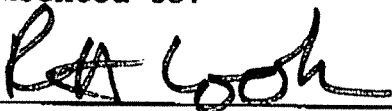
WHEREFORE, on this 26th day of April 2010,

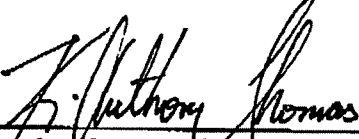
IT IS ORDERED that the period from the filing of the defendant's omnibus motion through ten days after the date of the Court's decision of that motion, shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to Title 18,

United States Code, Section 3161(h) and D.N.J. L. Crim. R., App.
J, 6(a).


Hon. Katharine S. Hayden
United States District Judge

Form and entry
consented to:


Randall H. Cook
Assistant U.S. Attorney


K. Anthony Thomas, AFPD
Counsel for defendant John E. Howard